

**REMARKS**

The above amendments and following remarks are responsive to the Office Action of November 3, 2004. Reconsideration of the application and a notice of allowance are earnestly solicited.

Claims 1-6 are pending in the application and the Examiner has rejected claims 1, 2, 5 and 6 under 35 U.S.C. §102 (e) as being anticipated by Nakahara et al (U.S. Patent No. 6,263,164). Claims 3-6 have been rejected under 35 U.S.C. §103 (a) as being unpatentable over Nakahara as modified by Suzuki (U.S. Patent No. 4,652,119) where Suzuki is cited for teaching that the quantization is determined by reference voltages. Applicant respectfully disagrees with the Examiner's assertions and provides the following traverse.

Each independent claim recites, as disclosed in the Application on pages 19 and 20, that widths of quantization and conversion regions of the left and/or right sensor arrays are varied during quantization according to the difference in sensitivity between the sensor arrays or light sensitive cells. In other words, the sensitivity of the sensor arrays can be corrected based on the amount of incident light during quantization. This provides for an improved range-finding and focusing accuracy over the prior art.

In comparison with the claimed invention, Nakahara discloses on column 55, lines 23-67 and column 61, lines 4-50, that data is first obtained from left

and right sensors 153L and 153R and quantized in quantizing portions 154L and 154R. From this quantized data, a difference is calculated and the difference is added to one set of the data to equalize the data.

As Nakahara teaches the quantizing of sensor data before correcting the sensor arrays, Nakahara fails to teach varying widths of quantization and conversion regions of the left and/or right sensor arrays during quantization. Accordingly, Nakahara cannot correct the sensitivity of the sensor arrays based on the amount of incident light during quantization and the range-finding and focusing accuracy cannot be improved as with the claimed invention.

As Nakahara fails to teach correcting the width of quantization and conversion regions during quantization, and Suzuki fails to teach such limitations, Nakahara fails to teach each limitation of independent claims 1 and 2 and the combination of Nakahara and Suzuki fail to teach each limitation of independent Claim 3. Accordingly, the independent claims are patentable over both Nakahara and the combination of Nakahara and Suzuki. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987) ("a claim is anticipated only if each and every element as set forth in the claim" is found in the cited prior art reference); *In re Royka*, 490 F.2d 981 (CCPA 1974) (a prima facie case of obviousness is established only where the combination of cited references teaches or suggests each limitation in the claim). Furthermore, the

claims depending therefrom are patentable therewith. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 234 F.3d 558 (Fed. Cir. 2000) (a claim that depends from a prior claim incorporates all the limitations of that claim).

Applicant respectfully requests a two month extension of time for responding to the Office Action. Please charge the fee of \$450.00 for the extension of time to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,

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